

EXHIBIT 17

Deposition of passenger Taleik Johnson

In The Matter Of:
DELVECCHIA, ET AL., V
FRONTIER AIRLINES, INC., ET AL.

DEPOSITION OF TALEIK JOHNSON
November 8, 2022

Anita B. Glover and Associates, Ltd.
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Fairfax, Virginia 22030
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA
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PETER DELVECCHIA, et al.,
Plaintiffs,
-vs- No.2:19-cv-01322-KJD-DJA
FRONTIER AIRLINES, INC.,
et al.,
Defendants.
- - - - - x

Fairfax, Virginia
Tuesday, November 8, 2022
Videotaped Deposition of
TALEIK JOHNSON
a Witness, called for examination by counsel for the
Plaintiffs, pursuant to notice, in the offices of Anita
B. Glover & Associates, 10521 West Drive, Fairfax,
Virginia, beginning at 10:58 o'clock a.m., before COLLEEN
M. VANCE, a Certified Verbatim Reporter, when there were
present on behalf of the respective parties:

CM22A082

For the Plaintiffs:

John D. McKay, Esq.
PARK AVENUE LAW, LLC
201 Spear Street
Suite 1100
San Francisco, CA 94105

For the Defendants:

Matthew Martin, Esq.
ADLER, MURPHY & McQUILLEN, LLP
20 South Clark Street
Suite 2500
Chicago, IL 60603

Also Present:

William Sale, Videographer

Peter DelVecchia (Via Microsoft Teams)

* * * * *

WITNESS

EXAMINATION ON BEHALF OF
PLAINTIFFS DEFENDANTS

TALEIK JOHNSON

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Anita B. Glover & Associates, Ltd.
10521 West Drive
Fairfax, Virginia 22030
(703) 591-3004

P R O C E E D I N G S

VIDEOGRAPHER: May it please the Court, my name is William Sale. I am the video operator and producer. My business address is 3800 Fairfax Drive in Arlington, Virginia, area code (703) 527-5100.

Today is Tuesday, November 8, 2022. The time is 10:58 a.m. We are about to take the deposition of Taleik Johnson, who is a witness in the matter of Peter DelVecchia and others, Plaintiffs, vs. Frontier Airlines, Incorporated, and others, Defendants, case number 2:19-cv-01322 in the US District Court for the District of Nevada.

Deposition is being taken at 10521 West Drive in Fairfax, Virginia.

At this time, would counsel please introduce themselves and their interested parties.

MR. MCKAY: My name is John McKay of Park Avenue Law, LLC, and I represent the Plaintiffs, Peter DelVecchia and his son, who is identified on the record as initials A.D..

MR. MARTIN: Matthew Martin of Adler, Murphy, McQuillen on behalf of the Defendants.

VIDEOGRAPHER: Would the court reporter

Anita B. Glover & Associates, Ltd.
10521 West Drive
Fairfax, Virginia 22030
(703) 591-3004

1 please swear the witness?

2 Whereupon

3 TALEIK JOHNSON

4 a Witness, was called for examination by counsel for the
5 Plaintiffs, and after having been first duly sworn by the
6 Notary Public, was examined and testified as follows:

7 DIRECT EXAMINATION

8 BY MR. MCKAY:

9 Q Mr. Johnson, good morning.

10 A Good morning.

11 Q I'm going to ask you to initially just
12 state your name and spell your name, please.

13 A Okay, my name is Taleik Johnson, T-a-l-e-
14 i-k, Johnson.

15 Q All right. And Mr. Johnson, where do you
16 live?

17 A I currently live in Woodbridge, Virginia.

18 Q Okay. Now, have you ever been to a
19 deposition before?

20 A I have not.

21 Q Okay, so I'm going to tell you a little
22 bit about what's going on. This is a court proceeding
23 that is conducted pursuant to the rules of court. It is

1 a way for us to take the deposition of witnesses outside
2 of the courtroom and in remote places.

3 This case is actually pending in Las
4 Vegas, Nevada, but we're here in Fairfax, Virginia,
5 getting your information as a witness to the case.

6 A Absolutely, okay.

7 Q So even though there is not a judge
8 present, and we are not in a courtroom, we're in a
9 conference room, it is treated for all purposes as though
10 you are testifying in a courtroom.

11 A Okay.

12 Q And because of that, we have to do a few
13 things that are a little bit artificial in terms of the
14 way that we normally speak with each other. And that is
15 mostly for the benefit of this nice lady here, who is the
16 court reporter, because she has to take down an accurate
17 record of every word that is said.

18 A Okay.

19 Q And one of the problems that we run into
20 very frequently is when people talk in the same way that
21 they normally do, they talk over each other. They tend
22 to talk over each other.

23 A Okay.

1 Q You may know what I'm saying and want to
2 go ahead and start to answer before I'm completely
3 finished, and I just need to tell you that that will
4 drive this nice lady crazy.

5 A Okay.

6 Q So we have to be a little bit artificial,
7 so that you need to wait until you're sure that I'm
8 finished talking before you begin a response, and I will
9 do the same thing with you.

10 The other thing that we have to keep in
11 mind is that she can only write down actual words, so we
12 do need to make sure we don't use nonverbal responses
13 like uh-huh or huh-uh, because those are very difficult
14 to write down accurately, because you look at them on a
15 page, and you're not exactly sure what the person meant.
16 Was that uh-huh, or was that huh-uh. So we have to be
17 careful with that.

18 The other thing is, of course, you have
19 been sworn to tell the truth, and I know that you
20 certainly will.

21 A I will.

22 Q We have to assume if you answer a question
23 that you understood the question. So it's very important

1 for your protection that if you don't understand a
2 question, you let me know right away, and I can always
3 rephrase or perhaps withdraw the question, whatever.

4 We want to make sure that if there's an
5 answer to the question, it is a question that was clearly
6 understood.

7 We might ask you to perhaps estimate a
8 distance, and I want to just go over the difference
9 between an estimate and speculation, or a guess. We're
10 both here looking at this table today, so we could
11 probably estimate the dimensions of this table. That is
12 a fair estimate, because we have some basis on which to -
13 - a basis of knowledge on which to make that
14 determination.

15 However, if I asked you to estimate the
16 size of the desk in my office, that would be speculation,
17 because you've never seen the desk in my office. So we
18 stay away from speculation.

19 A Okay.

20 Q But it's okay to estimate if you have a
21 basis on which to estimate. And I think the only thing
22 that we might ask you to estimate would be a length of
23 time that something happened or perhaps the distance away

1 from you that something was occurring, okay?

2 A Agreed.

3 Q Is there any reason why we shouldn't take
4 your deposition today, medical reason, or medication, or
5 anything like that?

6 A None.

7 Q Okay. All right, well, we'll get started
8 just with some background questions then. You live in
9 Woodbridge, Virginia, you said?

10 A That's correct.

11 Q Okay, and how long have you lived there?

12 A A little over a year, so it's about a year
13 and a half.

14 Q All right, and where did you live
15 previously?

16 A Previously, North Carolina. I was there
17 for 12 years.

18 Q And what part of North Carolina?

19 A In Cary, Cary, North Carolina.

20 Q All right. What's your highest level of
21 education?

22 A -- so over high school, but not a
23 graduate degree. So I'm currently a dental assistant.

1 I've been doing that for 12 years as well.

2 Q Okay, great. I was going to ask you about
3 that. So that takes care of the employment category.

4 A Okay.

5 Q And I saw you came in with your wife, so
6 you are married?

7 A That's correct.

8 Q And you have children?

9 A We do. We have a 20-year-old son and a
10 seven-year-old son as well.

11 Q All right, great. So what I'm going to be
12 asking you about is flight 2067, operated by Frontier
13 Airlines on March 28 of 2019, which was an evening flight
14 between Raleigh Durham International Airport and Las
15 Vegas International Airport. Do you remember that
16 flight?

17 A I do.

18 Q Okay. Just generally, what was the
19 purpose of taking the flight?

20 A Absolutely. It was actually a birthday
21 trip, going to Vegas just to get away from North
22 Carolina, scenery, just to get away.

23 Q And who were you traveling with?

1 A With my wife, yes.

2 Q What's her name?

3 A Matasha Johnson.

4 Q And do you remember seeing my clients, Mr.
5 DelVecchia and his son, who we are calling A.D., on the
6 record?

7 A I do. I do recall.

8 Q When did you first see them?

9 A I saw them upon getting on the plane, when
10 they were seated.

11 Q Oh, okay.

12 A I did not see them in the actual airport.

13 Q Were you already seated when you first saw
14 them?

15 A Yes.

16 Q And what, if anything, did you observe
17 about them?

18 A Nothing out of the ordinary, necessarily.
19 Just that they were an interracial like, you know, father
20 and son, I guess, but just -- not couple, but just
21 interracial person.

22 Q Okay.

23 A Nothing other than that. I mean, the, you

1 know, young man, A.D., I mean, they got on the plane. He
2 seemed excited to be there, I guess, flying. You know, I
3 know some people, they don't fly frequently. So he just
4 seemed like, you know, like my son was when he was first
5 flying or whatnot, just excited to be on the plane.

6 Q Okay. As far as you mentioned that they
7 were an interracial couple, did that cause you any
8 concerns or seem out of the ordinary?

9 A Not to me. Not at all.

10 Q Did you observe them take their seats?

11 A I did.

12 Q And did you see anything occur relative to
13 them in the several minutes afterwards?

14 A Repeat the question.

15 Q In the several minutes after you saw them
16 take their seats, did anything occur with respect to them
17 that you saw?

18 A No, just --I mean, they were seated. They
19 were just getting settled as everyone else was on the
20 plane. But I didn't -- like I said, nothing out of the
21 ordinary.

22 Q Did you ever see them move their seats?

23 A I don't recall that. I don't recall.

1 Q All right, fair enough. When was the next
2 time that you observed anything having to do with the
3 DelVecchias?

4 A The -- so it was an evening flight, so
5 after getting settled, I typically doze off right before
6 the plane takes off in any case, but the next time I
7 noticed something, if anything -- so there was a
8 gentleman sitting next to me, which, you know, a really
9 nice guy. Wasn't super talkative or whatnot. But did
10 ask me, you know, about, you know, my trip, you know,
11 where are you guys going and whatnot.

12 So we had a little bit of conversation
13 then, nothing out of the ordinary or whatnot. And then
14 I was awakened by just a little bit of commotion, just
15 that the guy next to me got up, and I just heard a little
16 bit, so I guess, disturbance. So I was woken up just by
17 the A.D. being removed from his seat. And then the
18 gentleman next to me, which at the time, definitely I did
19 not know that he was, you know, anybody relevant to
20 anybody. I didn't. I thought he was a random guy.

21 Q Okay.

22 A And I just saw him bringing this
23 gentleman, A. D., to the back of the plane. And you

1 know, I mean, I'm trying to figure out what's going on as
2 well. Like, you know, I thought this A.D. was with, you
3 know, someone -- with another person, and I was wondering
4 why he was being taken, like I guess, away.

5 So just trying to put the puzzle together,
6 or pieces of the puzzle together to try to figure out
7 what's going on. A little bit of a nose bot (sic) in a
8 way.

9 So, yeah, and then during that time, you
10 know, I'm awake and alert. So the father -- what's his
11 name, I'm sorry?

12 Q Peter.

13 A Mr. Peter was just as well trying to
14 figure out what's going on, and I believe they were
15 either two seats in front of me, or, yeah, I don't think
16 they were directly in front of me. I believe they were
17 two seats ahead of me. And Mr. Peter was just -- he
18 looked very concerned, to my knowledge, like, you know,
19 as well, what's going on.

20 And you know, I remember him stating
21 something like where are you taking my son, you know,
22 like what -- you know, he was just a concerned parent.

23 I assumed that they were together. You

1 know, I'm aware of, you know, people being adopted and,
2 you know, like I said, it didn't seem like he was being
3 -- you know, doing anything against his will. So I
4 mean, and so the guy brought -- the gentleman that was
5 seated next to me brought A.D. to the back of the plane
6 and seated A.D. in the middle towards the window seat, I
7 presume.

8 But the gentleman next to me was sitting
9 on the outside. And then Mr. Peter, you know, was trying
10 to get to his son in the back. But the flight attendants
11 and -- nobody would allow him to get back there, or even,
12 you know, talk to him or whatnot.

13 So pretty much that kind of was happening
14 throughout the whole duration of the rest of the flight,
15 which I am not even sure how long that was. And then
16 after that, I mean, I know everyone got off the plane.
17 They were still on the plane at that time.

18 Q They being?

19 A Mr. Peter, A.D., and the gentleman that
20 was next to me, were pretty much the last -- I mean, they
21 left after I left, and they got off the plane -- I guess
22 they got off the plane. I believe actually, Mr. -- there
23 was officers when I got off the plane. There were

1 officers. I believe there were three of them, at least,
2 to my knowledge. They were waiting outside of the plane.
3 So and at that time, I mean, I did not know what was
4 going on.

5 Q Did you have any kind of assumption about
6 what was happening?

7 A The assumption at the time was I mean, I
8 still didn't think that -- I didn't -- I still wasn't
9 sure of what was going on, because -- I mean, I didn't
10 know if -- I mean, I assumed that someone was in trouble
11 but wasn't sure what that was, what was someone in
12 trouble for.

13 Q Who of the -- well, who did you think was
14 in trouble?

15 A I assumed that Mr. Peter was in trouble
16 and that the son was taking -- that A.D. was taken away
17 from Mr. Peter for a particular reason. I definitely
18 didn't think it was because he, you know, shouldn't have
19 been there. But I just thought that it was something
20 that occurred while I was asleep that could have resulted
21 to, you know, them being displaced from each other.

22 Q Okay. And thank you for that. I'm going
23 to do, unfortunately, what lawyers do, which is to go

1 back and sort of break it down into specifics.

2 A Okay.

3 Q So I'm going to go back over what you just
4 said and just ask some specific questions.

5 A Okay.

6 Q The gentleman who had been seated next to
7 you, can you describe him?

8 A I just remember a clean cut Caucasian
9 gentleman. That is pretty much -- if you asked me to
10 paint a picture of him, I would not be able to do that.

11 Q I won't ask you that.

12 A Okay.

13 Q Did he ever give you his name?

14 A No.

15 Q Did he tell you where he was from?

16 A No.

17 Q Okay, good enough. Did he ever, after
18 leaving his seat, as you've described, did he ever come
19 back to the seat beside you?

20 A Not after leaving his seat, no.

21 Q Did you hear any of his communications to
22 the flight attendants?

23 A I did not hear it. I did see them

1 speaking to each other. It was more, I mean, like a
2 whispering kind of thing. So I guess that also was like
3 -- you know, like maybe he thought that, you know,
4 something happened, or he mentioned that something
5 happened.

6 But I did not hear any words. But they
7 did -- the flight attendant was standing in the aisle
8 next to our seat, and they were talking. But I don't --
9 I mean, I wasn't being that nosy.

10 Q Okay. So this was during the time that
11 the gentleman next to you was still seated?

12 A This is when they were still seated.

13 Q Okay. And you mentioned a flight
14 attendant. Can you describe the flight attendant?

15 A No, I cannot.

16 Q Okay. Male or female?

17 A Female.

18 Q Female, okay. And did you see any other
19 flight attendants other than her on the flight?

20 A I know that there's always more than one
21 flight attendant, but I do not remember at the time if
22 there were more than one interactions with the gentleman
23 that was next to me.

1 Q Okay. The reason I asked is that there
2 were three female flight attendants on the flight.

3 A Okay.

4 Q One of whom was a good bit older than the
5 other two. So do you remember whether this was the older
6 female flight attendant or one of the younger ones?

7 A I don't recall. I don't recall, yeah. I
8 can't -- I don't recall.

9 Q No problem. I just wanted to check that
10 out.

11 A Absolutely.

12 Q So how long do you think the flight
13 attendant spoke to the gentleman next to you before the
14 gentleman next to you got up?

15 A Well, see, so that was -- so because I was
16 in and out of, not conscious, but sleep, so I mean, I do
17 -- I vaguely remember them speaking, and I probably dozed
18 off or something. And then, I mean, I'm not sure how
19 much time in between that is when I was awoken by just
20 the gentleman, I guess moving, and that woke me up.

21 And I'm not sure what the words were.

22 There were some words, but I'm not sure what those words
23 were, because I was just like coming out of it. So I'm

1 not sure what those words were.

2 Q Would you be able to estimate, you know,
3 did they talk for 30 seconds, or did they talk for a
4 couple of minutes?

5 A The gentleman next to me and the flight
6 attendant?

7 Q Yes.

8 A It wasn't minutes. It was definitely
9 seconds. It was not -- it wasn't five minutes. I will
10 say that. It was under five minutes.

11 Q Under five minutes?

12 A Yes.

13 Q Okay, so more than seconds but less than
14 five minutes?

15 A That's correct.

16 Q Okay. What, if anything, did you observe
17 after the gentleman stood up?

18 A What did I observe after --

19 Q What, if anything, did he do after he
20 stood up?

21 A I don't -- so there was -- so the
22 positioning of everyone in the rows ahead of me, I just
23 remember the gentleman next to me, like just removing the

1 gentleman. I think -- I believe he was in the -- neither
2 one of them -- there was three seats. Neither one of
3 them were on the aisle seat, not to my knowledge. I
4 don't remember, but I just know Mr. -- A.D. -- A.D.?

5 Q Yes.

6 A A.D. was now on the aisle seat, and he was
7 removed from that seat. So maybe Mr. Peter was on the
8 outer seat. And I just know -- I mean, it was abruptly,
9 I guess I would say, like removed. It was not, you know,
10 hey, come with me. It was, you know, him forcing him out
11 of the seat, which --

12 Q And this is where I have to stop and just
13 be clear.

14 A Yes.

15 Q Who forcing who?

16 A The gentleman next to me was forcing A.D.
17 out of the middle of the seat. He was not on the aisle
18 seat, so he was pretty much pulled out from his seat.

19 Q Was this by physicality, by touching him?

20 A It was, because it was not by, you know,
21 hey, come with me, you know. You know, just not -- it
22 wasn't. It was force -- I mean, I don't know how
23 forcefully, but it was pulled upon. He was forced out of

1 his seat, physical.

2 Q And this was the passenger who had been
3 next to you who was doing the forcing?

4 A That's correct.

5 Q Okay, not one of the flight attendants?

6 A No, no. Not to my knowledge.

7 Q Were there any flight attendants in the
8 vicinity at the time?

9 A Yes, yes, they were. I do remember a
10 young lady, like in the area around that, you know, in
11 the aisle. So, but as far as what took place, I mean, I
12 wasn't focused on her at the time, but I know that there
13 was a flight attendant. I assumed that she was just like
14 trying to figure out what was going on as well. But I'm
15 not sure.

16 Q If I represent to you that A.D. was at the
17 window seat, and his father was in the middle seat, and
18 there was another person, a man in the aisle seat, would
19 that be consistent with what you saw?

20 A I could say that. It could be, because
21 like I said, I know the father was -- A.B. (sic) was on
22 the right side of Mr. Peter. I do know that. Where they
23 were seated specifically, I'm not sure. But that would

1 make sense, because it took a little bit of time for him
2 to get out of the seat, so that would make sense that he
3 was next to the window. But I do know exactly that A.B.
4 (sic) was on the right side of Mr. Peter. I do know
5 that.

6 Q So the gentleman who had been seated next
7 to you, did he have to lean into the row to remove A.D.?

8 A It was more so not directly on the side of
9 that row, like you were entering the row. It was a
10 little bit behind, maybe like the seat -- he was in the
11 aisle but behind the seat.

12 That's what I do remember. He wasn't
13 directly next to that row as he was trying to enter it.
14 It was kind of behind it, and, you know, and kind of
15 getting him out of his seat from behind the seat.

16 Q So reaching over the back of the seat?

17 A That's correct. That's correct.

18 Q Okay. All right, and then you said you
19 saw that passenger, who had been next to you --

20 A That's correct.

21 Q -- bringing A.D. back to the back?

22 A Yes.

23 Q Okay, and was he still attached to A.D. at

1 the time?

2 MR. MARTIN: Objection.

3 THE WITNESS: As he was seated?

4 BY MR. MCKAY:

5 Q When he was bringing him down the aisle?

6 A Yes, he was holding onto him, yes, not
7 just -- not -- A.B. (sic) was not walking behind him nor
8 in front of him. He was being held onto, right, so you
9 know, like guiding him to where he -- with him.

10 Q Did you, in your view, did you follow them
11 back to the seat at the back?

12 A I looked -- I did not follow them.

13 Q I'm sorry, I meant with your eyes.

14 A Right, right. Just -- I did not look down
15 the aisle to my left. I looked over the seats and saw
16 where they were placed, which was pretty much close to
17 the back where the restrooms were.

18 Q Okay, and I think you said that the
19 gentleman who had been seated next to you sat down next
20 to A.D.?

21 A That's correct, he did, and with A.D.
22 being on the inside.

23 Q Okay. Did you observe anything about A.D.

1 from that point until the plane landed? I mean, did you
2 look back to see how he was doing?

3 A I did. I could not see clearly. I can --
4 maybe A.D. was, I mean, just a little bit shorter than,
5 you know, the average passenger. So I could not see him
6 clearly.

7 I mean, like I think I saw him like kept
8 looking towards the front, pretty much from where his
9 seat was, but other than that, that's all I know.

10 Q And just directing your gaze now forward,
11 did you happen to notice anything that Peter did after
12 A.D. was taken to the back?

13 A Just that he kept trying to get out of his
14 seat, and he was -- pretty much the whole rest of the
15 flight, he had not sat down. He did not sit down. He
16 was pretty much sitting or crouching in his seat, looking
17 towards the back of the plane.

18 Q Did you observe anything about how his
19 demeanor was, how he looked?

20 A Yes, just concerned. Concerned would be
21 my -- you know, to the best of my knowledge, I would say
22 concerned or like disgruntled. Maybe not -- but just
23 like what's going on, just confused as far as to what's

1 going on.

2 Q Did you see him speaking with any other
3 passengers?

4 A I don't remember him speaking to any other
5 passengers. I do remember the flight attendant keeping
6 him from getting into the aisle. So there were words
7 with the flight attendant. I do remember that, a young
8 lady. I say young lady, but it may could have been an
9 older lady, a flight attendant, having words with him.

10 And Mr. Peter was -- he wasn't yelling,
11 but he was loud enough to where, you know, there was some
12 concern there. And the flight attendant was not allowing
13 him to get out of his seat or go to the back or anything
14 like that. But they were talking.

15 Q Did that involve anything more than words,
16 any physicality?

17 A Not to my knowledge.

18 Q Okay. The flight attendant who was
19 interacting with Peter at that time, white or black?

20 A I believe it was white. I believe there
21 were only white flight attendants, to my knowledge.

22 Q Okay, you never saw an African American
23 flight attendant?

1 A I don't recall that. I don't. I don't.

2 Q All right, how about -- have we covered
3 pretty much your observations until the plane landed, or
4 was there more?

5 A That pretty much was -- I mean, that
6 pretty much covered everything that I can remember.

7 Q All right. How about when the plane
8 landed? Was there anything that you observed that was
9 out of the usual?

10 A Just that it was in -- I was under the
11 assumption that, you know, the gentleman that was next to
12 me could have been an authority figure. I assumed that,
13 and that, you know, I assumed that it was maybe drug
14 related, or just that it was something that happened
15 that, you know, was a reason for A.D. being kept from Mr.
16 Peter. That's all I know.

17 Q The gentleman that was seated next to you,
18 I'm sorry, did he ever tell you that he was a police
19 officer?

20 A Never did.

21 Q Did you think that he looked like a police
22 officer?

23 A Did not at all. Did not at all.

1 Q What did you see him doing after the plane
2 landed, if anything?

3 A Just continuing to sit next to A.D. until,
4 you know --_I mean, he stood up, maybe in the aisle, or
5 he wasn't continuing to be seated. I mean, he was just
6 standing there, just waiting, I assume, until all the
7 passengers were off, because where Mr. Peter was seated,
8 all the other passengers, you know, proceeded to get off
9 the plane, but Mr. Peter stayed there, as well as -- I
10 mean, there were people behind me as well. But the
11 gentleman that was seated next to me did not proceed to
12 like try to exit the plane at that time.

13 Q Was there any kind of announcement, either
14 on the PA system or just by voice about how you should
15 deplane?

16 A No, no.

17 Q Okay.

18 A I don't think that there ever is,
19 honestly. It's just an assumption.

20 Q I think you're right. I think you're
21 right, okay. I am going to just stop for a second to
22 check a few things, but I think we've covered most of it.
23 But hang on just a second.

1 VIDEOGRAPHER: Why don't we go off the
2 video record for a moment? We're going off the video
3 record at 11:27.

4 (Brief Recess.)

5 VIDEOGRAPHER: We are back on the video
6 record at 11:30. Go ahead, sir.

7 MR. MCKAY: Thank you, sir.

8 BY MR. MCKAY:

9 Q Mr. Johnson, after you left the airplane,
10 I think you said that you saw the police there?

11 A I did.

12 Q Did you make any other observations,
13 anything with respect to A.D. or Peter from the time you
14 left until you got your bags and left the airport?

15 A Not at all. I just know that they were
16 there to -- I knew that they were obviously -- they were
17 uniformed authority figures, and that something not good
18 was going to happen, I assumed, but was not sure at that
19 moment.

20 Q Okay. That's all I have. Mr. Martin may
21 have some questions for you.

22 A Okay.

23 CROSS-EXAMINATION

1 BY MR. MARTIN:

2 Q Yes, Mr. Johnson, as I mentioned at the
3 start, my name is Matt Martin, representing Frontier and
4 the other Defendants in this matter. You covered a lot
5 of ground with Mr. McKay. There are just a few things
6 again, kind of like Mr. McKay said, I might just kind of
7 zero in on a few particular things --

8 A Yes, sir.

9 Q -- just to make sure we have everything
10 clear.

11 A Okay.

12 Q Do you happen to recall what row number
13 you were seated in on flight 2067?

14 A I do not recall the row number.

15 Q Do you recall which seat you were sitting?

16 A I was in the middle seat. My wife was by
17 the window.

18 Q And if we're looking from the back of the
19 plane forward, were you on the left-hand side or the
20 right-hand side?

21 A The right-hand side.

22 Q So you were in the middle seat on the
23 right-hand side?

1 A That's correct.

2 Q And your recollection was you were behind
3 the Plaintiffs in this case?

4 A Oh, yes, I was definitely behind the
5 Plaintiffs. I was either the -- I believe it was two
6 rows behind. I don't believe it was directly. So two
7 rows behind.

8 Q And do you recall approximately -- I
9 believe you had testified that you fell asleep --

10 A I did.

11 Q -- at some point in the flight?

12 A Yes.

13 Q Do you recall approximately, was it before
14 takeoff, sometime after takeoff?

15 A I dozed off -- I know I dozed off before
16 takeoff, as I always do, and then I woke up as the plane
17 was taking off. And then we were up in the air for a
18 little bit, and I fell asleep again.

19 Q And the gentleman that was sitting to your
20 left, he would have been in the aisle seat, correct?

21 A That's correct.

22 Q And I think you said he had asked you a
23 couple of questions about the purpose of your flight, is

1 that correct?

2 A Yes, that's correct.

3 Q Did he say anything about the purpose of
4 his travels?

5 A He did not, or if he did, I don't remember
6 that. So I -- if anything, maybe a business trip or some
7 sort of thing, but it was not to go gamble in Vegas.

8 Q Did you have any indication that he worked
9 for Frontier Airlines in any capacity?

10 A I did not.

11 Q Later on in the flight then, you said at
12 some point you were awoken, and am I recalling correctly
13 that it was when the gentleman next to you was having a
14 conversation?

15 A He was either -- yeah, at that time, he
16 was either having a conversation, or he was moving. I
17 know he had moved, and that's what woke me up, because
18 those seats are pretty tight. So it did awake me from
19 him having the conversation.

20 And it wasn't when I was awoken at that
21 time, I think it was just conversation. There was no
22 altercation. There was nothing going on at that point.
23 And I just went back to sleep, I believe.

1 And then the next time I remember waking
2 up was when he actually proceeded to leave his seat.

3 Q And then when you saw him leave his seat,
4 can you just testify again where he went to?

5 A Yes. When he did leave his seat is when
6 he -- is when I saw him go -- he didn't go towards the
7 back of the plane. He -- at that time, he was removing
8 the gentleman from his seat, A.D. from his seat. So and
9 that's why I know I -- that makes sense that I was not
10 directly behind them, because otherwise, he would have
11 just reached at that point, so I believe it was two
12 seats.

13 So, yeah, it was just -- that was the next
14 time I remember him getting out of his seat is to remove
15 the gentleman, A.D., from his seat.

16 Q And was there anyone else with him when he
17 did so?

18 A With the gentleman that was next to me?

19 Q Correct.

20 A There was a flight attendant in the aisle
21 or around, as they always are, for the most part. But
22 that was -- there was not another gentleman, I don't
23 believe, no.

1 Q Have you ever worked for an airline, sir?

2 A I have not.

3 Q Do you have any friends or family that
4 have ever worked for an airline?

5 A Yes.

6 Q And do you know in what capacity?

7 A Yeah, so my mother is actually -- she
8 cleans planes. Yeah, she does. But that's about it.

9 Q Okay. So you had testified earlier that
10 the gentleman who had been next to you and A.D. went to
11 the back of the airplane for the remainder of the flight
12 after the separation occurred, correct?

13 A That's correct.

14 Q After that had transpired, did you ever go
15 to the back of the aircraft for any reason, such as to
16 use the bathroom?

17 A No.

18 Q Did you ever hear anything, any
19 conversations coming from the back of the aircraft that
20 would have been related to this incident, in your
21 estimation?

22 A No. If anything, just seeing that -- I
23 mean, they were trying not to -- they were trying not to

1 make a big scene or make a big commotion, so other than
2 Mr. Peter just trying to figure out what was going on,
3 and you know, pretty much yelling, you know, what are you
4 guys doing, for the most part, there was no -- the
5 gentleman that was next to me, while he was in the back
6 of the plane, I don't believe he was having any words
7 towards Mr. Peter or towards anyone else.

8 There was -- I don't remember any words
9 being exchanged.

10 Q When you say they were trying not to make
11 a big scene, who is the they you're referring to?

12 A I would refer to the airline, the airline
13 and the gentleman that was next to me.

14 Q And by airline, do you mean the flight
15 attendants?

16 A Flight attendants, yes, because I did not
17 think that the -- I did not know that the gentleman that
18 I was assuming was part of the airline or anything of
19 that sort. So I would say the airline or flight
20 attendants. Flight attendants.

21 The lights were still kept dim. The
22 lights weren't brought up. There was no, you know,
23 nothing over the intercom or anything, you know, like

1 stay calm or anything like that. No, there was nothing.

2 Q Do you recall any overhead announcements
3 relating to this particular incident?

4 A I do not.

5 Q And you mentioned about the lights on the
6 airplane. Were you saying that they were dim when the
7 separation occurred?

8 A That's correct.

9 Q And do you recall how long they had been
10 dimmed for?

11 A Since pretty much takeoff. Yeah, pretty
12 much since takeoff, whenever they do normally dim the
13 airplane lights. I don't -- I don't think they ever
14 brought the lights back on, to my knowledge.

15 Q Do you recollect what time of day this
16 flight took place?

17 A Definitely in the evening, so it was
18 nighttime, definitely at nighttime.

19 Q And do you recall whether after the
20 separation occurred, were the lights ever taken off of
21 the dim status prior to landing?

22 A Yes, just -- I want to say probably --
23 sometime in the middle of the flight, I mean, maybe when

1 -- I don't know, when they collect trash, or, you know,
2 that kind of thing. That's all I remember. But not
3 during the altercation.

4 Q I think you had testified after the
5 separation occurred, you had been looking forward and saw
6 Peter looking back at times. Is that correct?

7 A Yes, that's correct.

8 Q And if I'm using the wrong word, you can
9 correct me, but I think you said he had looked concerned
10 and confused. Are those the words you used?

11 A That's correct.

12 Q Do you recollect anything else about how
13 he looked at that particular time?

14 A I -- no, I don't.

15 Q Okay. The address you were served at with
16 your subpoena, do you anticipate at this moment living
17 there for the next year?

18 A Yes.

19 Q Before we got started today, I know we
20 were just kind of having some general discussions, can
21 you tell us what, if anything, you did to, you know,
22 investigate this case prior to your appearance here
23 today?

1 A I literally just in the beginning, when --
2 I think I saw something come across, I don't know, maybe
3 my Google or my local news on the internet just that
4 there was a gentleman -- pretty much something relative
5 to my flight, that there was a gentleman that was taken
6 from his son, and -- adoptive son, and pretty much to
7 that extent, and that's it. I have not really looked
8 into the case.

9 Q Have you spoken with anyone about the
10 case?

11 A My wife.

12 Q Have you given any statements to anyone
13 about the case?

14 A No.

15 Q Anyone you've spoken to besides your wife?

16 A No.

17 Q Let me just look over my notes here.

18 A Okay.

19 Q When you exited the aircraft, or when the
20 plane landed, can you just tell me again, just so I'm
21 clear, did you and your wife exit before the Plaintiffs
22 and the passenger that had been sitting to your left, if
23 you recall?

1 A In the seats across? Is that --

2 Q So there was the gentleman that was
3 sitting immediately to your left --

4 A That's correct.

5 Q -- the passenger that had moved to the
6 back?

7 A Yes.

8 Q And then the two Plaintiffs. Do you
9 recall if you and your wife exited the aircraft before
10 they did or after?

11 A Before.

12 Q Before each of them?

13 A Yeah, but -- okay, yes, before each of
14 them. They were on the plane thereafter. As I am at the
15 front of the plane, I am looking back to, you know, see,
16 and they were still on the plane.

17 Q When you exiting the aircraft, did you
18 hear any passengers discussing this incident that had
19 taken place on the aircraft?

20 A No. No, I don't recall that.

21 Q Did you hear any of the Frontier flight
22 crew discussing this incident?

23 A I did not hear them at all.

1 Q Do you recall seeing either the captain or
2 the first officer while you were leaving the plane?

3 A I don't recall seeing them, no. If they
4 were standing next to -- there were flight attendants at
5 the front of the plane as we were exiting. That's the
6 only thing that I remember, just seeing flight attendants
7 at the front of the plane.

8 Q When you exited the aircraft, I think you
9 had testified to some law enforcement personnel being
10 there, is that correct?

11 A I do. I remember that.

12 Q And do you recall approximately how many
13 there were?

14 A There were either three or four. There
15 were either three or four.

16 Q Do you recall what jurisdiction they were
17 representing?

18 A No, not at all.

19 Q Did you hear any conversations between the
20 law enforcement officers as you were leaving the plane?

21 A I do not. I mean, they were -- I mean,
22 they were conversating with each other, but I don't know
23 what they were saying.

1 Q At any point after you left the aircraft,
2 did you ever see either Peter DelVecchia or A.D. after
3 that?

4 A I did not.

5 Q And I apologize again for jumping all over
6 the place.

7 A It's okay.

8 Q But as A.D. was being led to the back of
9 the aircraft, did you notice anything about his
10 disposition?

11 A No. No, I mean, it all kind of happened
12 so fast, but, no, I don't.

13 Q Did you observe him crying at all?

14 A No, I did not.

15 Q Did you ever hear any reports from anyone
16 on that plane of a passenger being struck in the head by
17 a flight attendant?

18 A I did not. I did not know that, no.

19 Q Did you ever see such a thing happen?

20 A I can't say that I can say someone was
21 struck like, you know, like someone walked up and just
22 hit someone. I can see how that could have happened
23 trying to reach and get A.D. out of his seat. That could

1 have possibly happened when he's reaching over,
2 especially if A.D. was to the right of Mr. Peter, then he
3 could have. That's a possibility.

4 Q But you didn't see anything like that
5 occur?

6 A Like I said, it happened -- it all kind of
7 happened so fast, I just know that the gentleman next to
8 me was reaching over the seat. He wasn't directly next
9 to the row. He was behind the row and reaching to get
10 A.D., so I could not see what actually occurred, if he
11 was hit or struck or whatnot. I'm not sure.

12 Q Do you recall if you accepted a beverage
13 or a snack while you were on the plane?

14 A No.

15 Q In any of your observations of the flight
16 crew, did you perceive any of them to be angry or
17 hostile?

18 A No, I did not.

19 Q Those are all the questions I have.

20 MR. MCKAY: All right, Mr. Johnson, thank
21 you very much for coming in. And I really appreciate it.
22 I don't have any further questions.

23 We did chat a little bit off the record.

1 I'll tell you again formally that you have the right
2 under the rules of civil procedure to receive a copy of
3 the transcript once it has been prepared, which may be a
4 couple of weeks down the road.

5 THE WITNESS: Okay.

6 MR. MCKAY: And you have the right to go
7 through it and to make any changes. The transcript will
8 be on, you know, numbered pages, but also the lines are
9 all numbered, and what happens is it comes with a page
10 called an errata sheet, e-r-r-a-t-a, which I guess is
11 Latin for errors. We use a lot of Latin in this
12 business, and nobody knows why.

13 THE WITNESS: Okay.

14 MR. MCKAY: But in any event, it will have
15 a place for a page number. It will have a place for the
16 change, and it will have a place for the reason for the
17 change.

18 THE WITNESS: Okay.

19 MR. MCKAY: So for instance, when you
20 mentioned that you used to live in Cary, North Carolina,
21 there's a possibility that the court reporter spells Cary
22 wrong, and so you can just change it, and you say
23 misspelled.

1 But it also includes if you remember
2 anything that, you know, you didn't say, or you remember
3 something differently, you certainly have the right to
4 say, you know, by the way, this happened differently, and
5 to just explain that you remembered afterwards.

6 So you're not limited to typographical
7 errors in the change.

8 THE WITNESS: Yes.

9 MR. MCKAY: So what we need to know now is
10 whether you want to go through that procedure or you want
11 to waive it?

12 THE WITNESS: I would like to see the
13 transcript.

14 MR. MCKAY: Okay, perfect. So she will
15 make arrangements off the record for you to get the
16 transcript once it's prepared.

17 THE WITNESS: Okay, thank you guys.

18 MR. MCKAY: Thank you very much, and that
19 concludes our questioning.

20 VIDEOGRAPHER: If there is nothing
21 further, we are ending this deposition at 11:47. We are
22 off the video record.

23 * * * * *

1 (Whereupon, at 11:47 o'clock a.m., the
2 deposition was concluded.)
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Anita B. Glover & Associates, Ltd.
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Fairfax, Virginia 22030
(703) 591-3004

1 CERTIFICATE OF NOTARY PUBLIC

2 COMMONWEALTH OF VIRGINIA)

3 COUNTY OF FAIRFAX)

4 I, COLLEEN M. VANCE, the officer before
5 whom the foregoing deposition was taken, do hereby
6 certify that the witness whose deposition appears in the
7 foregoing pages, was duly sworn by me; that the testimony
8 of said witness was taken by me and thereafter reduced to
9 typewritten form; that the deposition is a true record of
10 the testimony given by said witness; that I am neither
11 counsel for, related to, nor employed by any of the
12 parties to the action in which this deposition was taken;
13 that I am not a relative or employee of any attorney or
14 counsel employed by the parties hereto, nor financially
15 interested, or otherwise, in the outcome of the action.

16

17

18 COLLEEN M. VANCE, CVR-CM
19 ID Number 130613
Notary Public in and for
20 State of Virginia at Large.

21

My commission expires: November 30, 2025

22

Colleen M. Vance,
CVR-CM
Notary Public
Commonwealth of

23

SIGNATURE OF WITNESS

COMMONWEALTH OF VIRGINIA)
COUNTY OF FAIRFAX)

I, Taleik Johnson, have read and examined the
foregoing transcript of the taking of my deposition in
the above-entitled matter and have noted all corrections
I feel necessary. I hereby certify that the foregoing
transcript is a true and accurate reflection of my
answers to all questions propounded me.

Taleik Johnson

Subscribed and sworn to before me

this _____ day of _____, 2022.

Notary Public in and for the
Commonwealth of Virginia, at Large

1	CHANGES / CORRECTIONS		
2	PAGE	LINES	TEXT
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Anita B. Glover & Associates, Ltd.
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December 2, 2022

Taleik Johnson
1707 Granville Court
Woodbridge, Virginia 22191

Re: Peter DelVecchia, et al., vs. Frontier Airlines,
Inc., et al.

Dear Mr. Johnson:

Your deposition taken in the offices of Anita B. Glover & Associates on Tuesday, November 8, 2022, has been transcribed and is awaiting your review. Please contact this office for a mutually agreeable time to come in and read and sign your deposition.

Pursuant to Rule 4:5(e) of the Rules of the Supreme Court of Virginia, you will have 21 days to read your deposition and make any corrections that you deem necessary, after which your deposition may then be used as fully as though signed.

Very truly yours,

ANITA B. GLOVER & ASSOCIATES, LTD.

COLLEEN M. VANCE, CVR-CM-M-CCR

cmv

c: John D. McKay, Esq.
Matthew Martin, Esq.

CM22A082

Anita B. Glover & Associates, Ltd.
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